

EXHIBIT E

Sheriff Sid Lockhart's Affidavit

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

CHRISTOPHER MCCULLOUGH,)
Plaintiff,)
v.) Civil Action No. 3:05-CV-1163-F
CHAMBERS COUNTY SHERIFF'S) (WO)
DEPARTMENT, et al.,)
Defendants.)

AFFIDAVIT OF SID LOCKHART

**STATE OF ALABAMA)
COUNTY OF CHAMBERS)**

BEFORE ME, the undersigned authority and Notary Public in and for said County and State at large, personally appeared Sid Lockhart, who being known to me and being by me first duly sworn on oath deposes and says as follows:

1. My name is Sid Lockhart. I am over the age of nineteen and competent to make this affidavit. I have been the Chambers County Sheriff since 1995.

2. I am familiar with the Plaintiff Christopher McCullough due to his incarceration in the Chambers County Detention Facility. I have also read Mr. McCullough's Objections to the Magistrate Judge's original Report and Recommendations filed with this Court June 9, 2008.

3. I state affirmatively that I neither acted, nor caused anyone to act, in such a manner as to deprive the Plaintiff of any right to which he was entitled.

4. To the best of my knowledge during the month of November 2005 and after, I did not receive any correspondence, grievances, or complaints from Christopher

McCullough, nor did I receive any requests for a Grievance Form of any kind, while he was an inmate at the Chambers County Detention Facility or after he was sent to the Alabama Department of Corrections.

5. Occasionally I receive correspondence, complaints, and grievances directly from inmates at the Chambers County Detention Facility. I receive these either through the U.S. Postal Service or our inter office mail system, which is the method by which governmental agencies of Chambers County inexpensively send mail to each other. My Chief Deputy collects the mail and gives it directly to me for review and sorting; there is no other intermediary who could tamper with the mail. The Chief Deputy during November of 2005 is deceased.

6. It is my policy and practice to read inmate complaints and after reading them to contact Major Clay Stewart. We meet to discuss the complaint or grievance. During our meeting, we determine the proper response to the grievance or complaint and take steps to ensure it is answered. Any complaints or grievances sent to me by a family member or friend are handled in the same manner. To the best of my knowledge I have not received and my Office has no record of any complaints or grievances from any family member or friend concerning Inmate Christopher McCullough on the issue of the events of November 10, 2005.

7. I have never and would never "desk drawer," throw away, or in any way attempt to cover up a complaint or Grievance by an inmate. Such a practice would not allow me or Major Stewart to resolve problems in the Chambers County Detention Facility. In fact, it would create more problems, lawsuits, and complaints than it would solve. If the Plaintiff in this case had communicated to me a complaint about his

treatment by Major Stewart or any other officer of the Detention Facility, it would have been against my principles, my policy, and my practice to not respond to or deal with it. Such a cover-up of Plaintiff's complaint or Grievance never occurred because neither I nor my Office ever received such a communication, orally or in writing.

8. I swear, to the best of my present knowledge and information, that the above statements are true, that I am competent to make this affidavit, and that the above statements are made by drawing from my personal knowledge of the situation.


SID LOCKHART

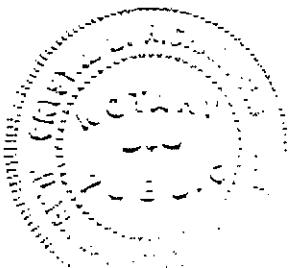
SWORN TO and SUBSCRIBED before me this 25th day of July 2008.


NOTARY PUBLIC
My Commission Expires: MY COMMISSION EXPIRES AUG. 18, 2009



CLAY STEWART

SWORN TO and **SUBSCRIBED** before me this 28th day of July 2008.



Christal Richardson
NOTARY PUBLIC
My Commission Expires: NY COMMISSION EXPIRES